UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

LANG PRIESTER,)
Plaintiff,)
v.)) JUDGMENT
) No. 5:10-CV-234-F
CITIMORTGAGE, INC.,)
Defendant.)

Decision by Court.

This action came before the Honorable Senior Judge Malcolm J. Howard, for consideration of defendant's motion to dismiss.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered January 11, 2011, and for the reasons set forth more specifically therein, that defendant's motion to dismiss is granted. This action is dismissed without prejudice for plaintiff's failure to effect service within the time prescribed by Rule 4(m). The plaintiff shall have and recover nothing from this action.

This Judgment Filed and Entered on January 11, 2011, and Copies To:

Lang Priester (via U.S. Mail) 5848 Charing Place, Charlotte, NC 28211 Joseph Samuel Dowdy (via CM/ECF Notice of Electronic Filing)

January 11, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk